



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/025,856 02/19/98 SUDO

T 862.2176

005514 TM02/0326
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK NY 10112

EXAMINER

WONG, A

ART UNIT

PAPER NUMBER

2613

DATE MAILED:

03/26/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/025,856

Applicant(s)

SUDO, TOSHIYUKI

Examiner

Allen Wong

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

DETAILED ACTION

Continued Prosecution Application

The request filed on 1/9/01 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/025,856 is acceptable and a CPA has been established. An action on the CPA follows.

Response to Arguments

Applicant's arguments filed 1/9/01 have been fully read and considered but they are not persuasive.

Regarding page 13, lines 2-4 of applicant's remarks, applicant discloses that Isono does not teach setting or including a window at a desired position of a display screen. The examiner respectfully disagrees. Isono does teach a window setting means on the stereoscopic display means (col.4, lines 32-40; note Isono discloses that the position and size of the window can be changed, thus, Isono discloses a window setting means for displaying the stereoscopic image) for displaying the stereoscopic image because element 28 is used in 3-D mode to display the stereoscopic image. It is well known in the art that a 3-D (three-dimensional) image is equivalent to a stereoscopic image.

With regards to applicant's remarks on page 13, lines 5-8, applicant asserts that Isono does not teach or suggest the window setting means. In contrast to applicant's remarks, Isono does provide the limitation of changing the relative positional relationship between the stereoscopic image displayed in the window and the stereoscopic vision control means in order to realize a proper stereoscopic vision (col.5,

Art Unit: 2613

lines 32-44). Isono provides an input unit so that user can enter commands to change the relative positional relationship between the stereoscopic image displayed in the window and the stereoscopic vision control means in order to realize a proper stereoscopic vision. Moreover, Isono teaches the use of a head detecting unit, element 8, for detecting the user's movements, and thus, changing the relative positional relationship between the stereoscopic image displayed in the window and the stereoscopic vision control means in order to realize a proper stereoscopic vision.

Regarding page 13, lines 10-11 of applicant's remarks, applicant contends that Isono does not disclose instructing means to display a new stereoscopic image on a desired portion of the display. It is the Examiner's contention that Isono suggests that the computer can receive instructions from the user for displaying stereoscopic, three-dimensional images (col.5, lines 37-40). Further, Isono states the viewer or user can input "various display control commands" to the computer and those "commands" clearly include instructing the display of a new stereoscopic image on a display's desired position.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 3-44 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Isono (5,315,377).

Regarding claims 1, 12, 14-16, 18, 28-32, and 34-44, Isono discloses an information processing apparatus which can be connected to an image display apparatus (figure 2, element 46) having stereoscopic vision control means (figure 2, element 28) for controlling directivity of a stereoscopic image to allow an observer to observe stripe images of the stereoscopic image with right and left eyes, respectively, comprising:

generation means (col.4, lines 32-38) for generating image data including a window to be located on a desired position of a display screen of said image display apparatus (col.4, lines 38-40; note a window is set, thus the window position and size can be "freely changed" for displaying the stereoscopic image) in which stripe parallax images corresponding to the right and left eyes are arranged so as to display a stereoscopic image (see fig.2);

determination (changing) means (figure 1, element 20 and col. 5, lines 37-40) for determining whether a relative positional relationship between the stereoscopic image displayed in the window generated by said generating means and said stereoscopic vision control means of said image display apparatus is a proper positional relationship which allows a proper stereoscopic vision (note that a computer determines whether a relative positional relationship between the window and said stereoscopic vision control means of said image display apparatus is a proper positional relationship); and

adjustment (changing) means for (figure 1, element 20 and col. 5, lines 37-40), when said window is displayed on the screen and when said determination means determines that the relationship is not the proper relationship which allows a proper stereoscopic vision, adjusting the relative positional relationship to allow a proper stereoscopic vision (note that a computer adjusts the relative positional relationship to allow a proper stereoscopic vision).

Regarding claims 3, 4, 7, 8, 19, 20, 23, and 24, Isono discloses that changing means moves the window by a distance corresponding to a stripe pitch of the stripe image and that the amount of movement of the window is equal to a minimum pixel pitch of said stereoscopic image display (col. 4, lines 39-57, note that Isono discusses a "variable pitch" which means that the pitch can be adjusted to accommodate one's needs).

Regarding claims 5, 9, 21, and 25, Isono discloses a horizontal stripe image (figure 5, element 28A and 46A) in the screen.

Regarding claims 6, 10, 22, and 26, Isono discloses a vertical stripe image (figure 5, element 28B and 46B) in the screen.

Regarding claims 11 and 27, Isono discloses that said changing means interchanges odd and even stripe images (figure 5, element 56') constituting the stereoscopic image displayed in the window.

Regarding claim 13, Isono discloses that said changing means physically moves said stereoscopic vision control means (col. 7, lines 9-24).

Art Unit: 2613

Regarding claims 17 and 33, it is inherent that the execution period of said changing means is shortened, while the window is moved, for the changing means to execute the executed commands in an efficient manner.

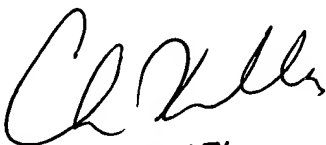
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (703) 306-5978. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (703) 305-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5359 for regular communications and (703) 308-6306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AW
March 22, 2001


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600